

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 885 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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BHIKHAJI LAXMANJI RAJPUT

Versus

STATE OF GUJARAT

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Appearance:

MS JAYSHREE C BHATT for Petitioner

Mr S J Dave, Asstt/ PUBLIC PROSECUTOR for Respondent No. 1

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CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 09/10/98

ORAL JUDGEMENT

Heard the learned Advocate for the petitioner.

The first furlough has been declined by the jail authorities on the ground that he was granted parole leave in Maarch 1997 and he surrendered late by 8 days. Thus, he has been dealt with in accordance with the provisions of the jail manual.

2. Considering the fact that the petitioner surrendered late by 8 days only and that more than one year has elapsed thereafter. in my view, ends of justice would meet if he may be given opportunity to improve and to ensure that this time he surrenders in time.

3. In view of the aforesaid, this Special Criminal Application is allowed. The respondent is directed to grant furlough to the petitioner in accordance with the rules on usual terms and conditions. Rule made absolute.

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msp.